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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION
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15 HEATHER KINARD,)	CIVIL NO. 1:21-cv-01250-SKO (SS)
Plaintiff,)	
16 v.)	STIPULATION TO VOLUNTARY
)	REMAND PURSUANT TO SENTENCE
17 KILOLO KIJAKAZI ¹ ,)	FOUR OF 42 U.S.C. § 405(g) AND TO
18 Acting Commissioner of Social Security,)	ENTRY OF JUDGMENT; ORDER
Defendant.)	(Doc. 10)
19)	
20)	

21 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
22 attorneys, and with the approval of the Court, that this action be remanded for further
23 administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C.
24 § 405(g), sentence four. On remand, the Appeals Council will remand the case to an
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27 ¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant
28 to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted,
therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to
continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42
U.S.C. § 405(g).

1 administrative law judge (ALJ) for a new decision. The parties further request that the Court
2 direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against
3 Defendant, reversing the final decision of the Acting Commissioner.

4 Respectfully submitted this 5th day of May 2022.

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6 Dated: May 5, 2022

/s/ Jonathan Omar Pena*

JONATHAN OMA PENA

Attorney for Plaintiff

*Authorized via e-mail on May 5, 2022

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10 PHILLIP A. TALBERT

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13 By: /s/ Patrick William Snyder

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Special Assistant United States Attorney

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15 Attorneys for Defendant
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ORDER

Based upon the parties' foregoing stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment (the "Stipulation") (Doc. 10), and for cause shown,

IT IS ORDERED that the above-captioned action is remanded to the Acting Commissioner of Social Security for further proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will remand the case to an administrative law judge for a new decision in accordance with the parties' Stipulation.

The Clerk of Court shall enter a final judgment in favor of Plaintiff, and against Defendant, vacating and reversing the final decision of the Commissioner.

IT IS SO ORDERED.

Dated: May 6, 2022

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE